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Chairman: Mr. Kyaw Tint Swe ..... (Myanmar)

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The meeting was called to order at 9.50 a.m.

Expression of sympathy on the death of the President of the United Arab Emirates

1. **The Chairman** expressed the Committee's deep condolences to the family of His Highness Sheikh Zahed bin Sultan Al-Nahayan, late President of the United Arab Emirates.

Agenda item 75: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/59/13, A/59/151, A/59/260, A/59/279 and A/59/442)

2. **Mr. Al-Zayani** (Bahrain) expressed his Government's condolences to the delegation of the United Arab Emirates.

3. UNRWA and the Swiss Agency for Development and Cooperation were to be commended for organizing the Geneva conference on 7 and 8 June 2004 on the work of UNRWA in the field. The work of the Agency had been largely hampered by Israel's infringements of the immunities of UNRWA and its staff in contravention of the 1946 Convention on the Privileges and Immunities of the United Nations and the terms of the 1967 Comay-Michelmore Agreement. Furthermore, Palestinians continued to suffer from increasing poverty, deteriorating health conditions, the demolition of their homes, and the suspension of educational programmes. As a consequence, the capacity of the Palestinian people to face up to the deteriorating economic and social situation since September 2000 had been exhausted. The separation wall that Israel had continued to build, despite the advisory opinion rendered on 9 July 2004 by the International Court of Justice had further exacerbated their plight. The fact that the wall partitioned the Occupied Palestinian Territory, hindered the work of the Agency and deprived Palestine refugees in Qalqiliya and elsewhere of UNRWA services.

4. In its report (A/59/442), the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East voiced its concern at the negative impact of ongoing underfunding and the constraints that had curtailed the Agency's activities. In addition, new ways of expanding the existing donor network and increasing donations to meet the needs of UNRWA and those of the refugees were discussed in a letter from the Agency's Advisory Commission to the Commissioner-General of UNRWA.

5. His delegation was hopeful that donors would not withhold aid from UNRWA but rather would ensure that the Agency could build up working capital and cover both its project accounts' deficit and the structural deficit that had reduced its capacity to meet the demands of natural growth in the refugee population. Aid from donor countries would be helpful in restoring financial capacity, sustaining ongoing programmes and avoiding reduction in services for refugees.

6. The non-implementation of General Assembly resolution 194 (III), which established in paragraph 11 the right of refugees to return to their homes, had underscored the need for the Agency's existence since it was first established in 1949, pursuant to General Assembly resolution 302 (IV), to provide education, health care, relief and social services for Palestine refugees. Its services would continue to be necessary until the problem of Palestine refugees and the issue of the Middle East, the core of which was the question of Palestine, were resolved in accordance with the decisions of international legitimacy, legitimate international decisions, particularly Security Council resolutions 242 (1967) and 338 (1973), and with the principle of land for peace.

Agenda item 76: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/59/338, A/59/339, A/59/343, A/59/344, A/59/345 and A/59/381)

7. **Mr. Goonetilleke** (Sri Lanka), introducing the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/59/381), said that in May and June 2004, the Committee, visiting Lebanon for the first time, had met with 27 representatives of Palestine refugee groups and associations, who had concurred that it was the wish of the Palestine refugees living in that country to return to their homeland, Palestine. In Egypt, the Special Committee had met with 50 witnesses from East Jerusalem, the West Bank and the Gaza Strip, a number of whom had provided first-hand information on the consequences of the military incursions into Rafah during the period under review. Owing to the events there, a dozen Palestinian witnesses had been

unable to attend because the border between the Gaza Strip and Egypt had been closed. In Syria, the Special Committee had heard the testimonials of 7 witnesses regarding the human rights situation in the occupied Syrian Golan.

8. Despite Israel's refusal to authorize the Special Committee to visit the occupied territories or to allow the Special Committee to hold consultations with officials of the Government, the Special Committee had gathered enough evidence to be able to express serious concern. There were, however, some encouraging developments. The international media was showing renewed interest in reporting on the plight of the Palestinians, and certain countries were making efforts to inform the public about the complexity of the Palestinian issue. In addition, Israel's decision to withdraw from the Gaza Strip in 2005, and the advisory opinion of the International Court of Justice of 9 July 2004, finding that the construction of the wall was contrary to international law, were turning the attention of the world towards Palestine once again.

9. Witnesses from the West Bank and the Gaza Strip had spoken of appalling and deteriorating living conditions resulting from the military incursions and the construction of the wall: land had been confiscated, fields and houses destroyed, and families separated, while farmers had been denied access to their land, workers to their jobs, children to schools, and women and children to health and social services. They had reported that the construction of the wall had caused major changes to the social fabric of Palestinian communities and was turning the occupied Palestinian territories into a vast open-air prison. Some felt that the wall was being erected in order to annex land for settlement purposes.

10. Some witnesses had declared that a special permit was required for any displacement, even between neighbourhoods, that road closures and checkpoints added hours to any trip on foot or by vehicle, that not only military leaders but also children were subject to extrajudicial killings, and that detention conditions for Palestinians in Israeli jails had worsened and methods of torture intensified. In 2003 and 2004, casualties had risen, 40 children dying at Rafah between January and May 2004. Some asserted that children under 12 were being targeted.

11. The construction of the wall was blocking the access of rural areas to city health services. Ambulances were in danger waiting to cross the wall; 28 had been destroyed during the events at Rafah, and ambulance staff had died from gunfire. Medical staff had been abducted, beaten or taken into custody. In addition, the climate of violence was preventing children from attending school. The Israeli military steadily destroyed civilian property, and water, electricity, sewage and communication systems, and damaged roads, bridges, government offices, police stations, prisons, banks, hospitals, clinics, schools and the property of non-governmental organizations. From January to May 2004, 1,100 houses had been totally or partially demolished and some 29,000 people had allegedly been forced to take refuge in temporary premises provided by international agencies. Those actions were perceived as a collective punishment imposed on the Palestinian people.

12. The Special Committee also found that the human rights situation in the occupied Syrian Golan had been deteriorating, and that the Israeli policy of settlement and expropriation of lands continued. The 44 Jewish settlements, which currently had 20,000 inhabitants, were expected to increase by 15,000 in the coming three years. In addition, the Syrian authorities feared that the nuclear waste that the Israeli Government was allegedly storing on a wide tract of land near its borders would cause an ecological catastrophe.

13. Despite the vision of two independent, sovereign States living side by side in peace, security and dignity, the cycle of violence seemed to be spiralling upward. The Government of Israel, the Palestine Authority, and the Palestinian militant groups must ponder the situation and consider alternate strategies; negotiations must now be given another opportunity. There did not seem to be any alternative to returning to the road map. Having seen no progress during the period under review, the Special Committee reiterated the recommendations it had made in 2004, hoping that the coming year would be more propitious.

14. **Ms. Nasser** (Observer for Palestine) said that the Special Committee's informative report (A/59/381) presented an extremely disturbing account of the grave human rights violations Israel had committed against the civilian population under its occupation during the past year. The grim assessment was shared by other United Nations officials and countless humanitarian organizations. Every investigation or analysis revealed that the human rights of the Palestinian people were being gravely breached. Israel, the occupying Power,

was deliberately violating international law and continuing to kill, injure and maim civilians, including children and women, to destroy homes, properties, vital infrastructure and farmlands, to confiscate land, to construct the wall, to build and expand settlements and bypass roads, to arrest and imprison thousands of Palestinians, and to impose severe restrictions on the movement of persons and goods, including medical and humanitarian assistance.

15. Israel's 37-year military occupation was in itself a grave violation of the rights of the Palestinian people, including the right to self-determination and the right to freedom. Under international law an occupying Power was under an obligation to ensure the protection of an occupied people. Occupation was supposed to be temporary; Israel, however, was practising an insidious form of colonization in flagrant contravention of the principle of the inadmissibility of the acquisition of territory by force. The illegal policies and practices carried out by Israel against the Palestinian people — who were both Muslims and Christians — amounted to the subjugation of an entire people.

16. The occupying Power was violating the Charter of the United Nations, the Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, the first Optional Protocol to the Convention on the Rights of the Child, as well as other international instruments and relevant United Nations resolutions. Since September 2000, those violations had been massive in scope and scale. Israel had not only committed systematic human rights violations, but also countless acts constituting war crimes and State terrorism.

17. Reality for the Palestinians was a merciless assault, entailing harassment, humiliation, violence and terror. The images were harrowing: families in mourning, the destruction of homes, land, and orchards, the ruination of livelihoods, the erection of a monstrous wall, and settlements that were swallowing the land and the prospects for peace. Palestinian casualties had reached 750 in 2004 to date; since September 2000, more than 3,450 persons, including 760 children, had been killed, many in extrajudicial executions. There were 40,000 wounded, many of whom permanently were disabled. Moreover, the occupying Power was continuing the practice of using civilians, including children, as shields during raids. There were many tragic stories, including the 14-year-old boy who had been wired to a jeep during a raid, and a 13-year-old girl who had been riddled with bullets on her way to school. Those were flagrant violations of the inalienable right to life and constituted grave breaches of international humanitarian law.

18. Israel continued to terrorize the civilian population through brutal collective punishment, wantonly destroying property, in particular in the refugee camps and along the route of the wall in the West Bank. Thousands of families had been left homeless and social infrastructure and basic services had been severely disrupted. Agricultural land had been flattened and Israeli settlers also continued to damage Palestinian property and harm civilians, in particular in the Nablus and Al-Khalil areas. In the Rafah area alone, since September 2000, more than 1,500 homes had been demolished or rendered uninhabitable, affecting at least 16,000 civilians, and thousands of dunams of land had been destroyed. In addition, more than 7,000 Palestinians, including women and children, were detained or imprisoned in deplorable conditions, and subjected to mistreatment and various forms of torture (A/59/381, paras. 50-53).

19. Restrictions on the movement of persons and goods seriously compounded the hardships of Palestinian civilians. There were more than 700 checkpoints in the Occupied Palestinian Territory where civilians were forced to endure long waits, harassment and abuse. The considerable impact on the troubled economy, on the education and medical systems and on the functioning of the Palestinian authority had extensive short and long-term consequences; poverty and unemployment were rampant, and living conditions continued to deteriorate. In the Gaza Strip in particular, during the past year the military siege had intensified the poverty and misery of the civilian population. Palestinian labourers seeking to leave or enter Gaza continued to be subjected to appalling treatment; in July 2004 more than 2,000 Palestinian civilians returning to Gaza from Egypt had been refused entry by the occupying Power for nearly three weeks and had been stranded at the Rafah border terminal without access to sufficient food, medical care or sanitary facilities. Regrettably, efforts by the United Nations and other organizations to provide humanitarian assistance continued to be impeded by the occupying Power's refusal to allow them free access, thus deepening the humanitarian crisis.

20. The continued construction by Israel of the separation wall was an attempt to expand its settlements, in particular around and through Occupied East Jerusalem. Construction of that wall had been declared illegal by the International Court of Justice in its advisory opinion of 9 July 2004, which had confirmed the applicability of international human rights conventions in the occupied territories. The Court had rejected the Israeli argument that security considerations justified the construction of the wall; while acknowledging Israel's right and duty to protect its citizens, it had affirmed that measures taken for that purpose must remain in conformity with applicable international law. The purpose of settlement activities and the construction of the wall was clearly to occupy Palestinian land, change its demographic composition and facilitate its de facto annexation.

21. She reiterated her delegation's condemnation of suicide bombings committed by Palestinians against civilians in Israel — acts which were morally wrong and extremely detrimental to the Palestinian cause. Such terror could not be justified; neither could the State terror perpetrated by Israel against Palestinian civilians. The violence however had its roots in the oppressive Israeli occupation and its cumulative effects. The only real remedy would be a negotiated and just political solution, not a violent military solution or a unilaterally imposed, unjust solution.

22. Subsequent to the advisory opinion of the International Court of Justice calling on Israel to stop construction of and dismantle the wall and make reparation for damages caused, the General Assembly had adopted resolution ES-10/15 on 20 July 2004. Regrettably, the occupying Power had ignored both bodies and was continuing its unlawful construction of the wall. Confiscation of property continued and the movements of Palestinians over the age of 12 in the so-called "closed zone" continued to be restricted. Hundreds of thousands of Palestinian civilians found themselves confined in walled enclaves, separated from their farmlands, jo' s, schools, hospitals, markets and the rest of the population. There was also increasing displacement of Palestinian civilians, many of whom had been denied access to their own homes. As noted by the Special Committee, the construction of the wall was causing major changes to the social fabric of Palestinian communities and was one of the most visible signs of the transformation of the Occupied Palestinian Territory into a vast open-air prison. If completed, the wall would destroy the territorial integrity and contiguity of the Palestinian territory and make a two-State solution to the Israeli-Palestinian conflict and a viable Palestinian State impossible. Such a grave threat to the search for peace and stability for the Palestinian and Israeli peoples and the region as a whole must be a matter of acute concern to the international community.

23. Israel must be held accountable for the disastrous effects of its illegal practices on the human rights of the Palestinian people and must be compelled to comply with international law, relevant United Nations resolutions and the advisory opinion of the International Court of Justice. The peace process must be revived through negotiations on the implementation of the road map and a final two-State settlement based on the pre-1967 borders. Any unilateral disengagement from Gaza must involve the complete withdrawal of the occupying forces, occur in the context of the road map and be accompanied by similar steps in the rest of the Occupied Palestinian Territory, including East Jerusalem, or otherwise the political, security, humanitarian and socio-economic consequences would be severe.

24. The international community, in particular the United Nations, had a critical role to play in resolving the question of Palestine. The establishment of the Special Committee was evidence of the Organization's commitment to resolving the question of Palestine in accordance with international law. The Special Committee continued to have an important mandate and could play an enhanced role if permitted to do so and therefore deserved the support of delegations, as did all relevant resolutions.

25. **Ms. Abdelhak** (Algeria) stressed that the Special Committee was the only international body with a mandate to report on the effects of Israeli practices in the occupied territories. Although the Special Committee based its work on international human rights instruments, Israel continued to refuse to receive it, thus defying the United Nations system. Her delegation therefore associated itself with the Special Committee's appeal to international stakeholders for support in fulfilling its mandate (A/59/381, para. 25). That mandate would remain valid so as long as Israel continued to occupy Palestinian and other Arab territories and violate human rights in those areas.

26. Israeli military attacks in the occupied territories, in particular Rafah and the north of the Gaza Strip, had severely affected human rights and caused unacceptable loss of human life. She supported the Special Committee's recommendation that the international media increase their reporting on the tragic situation of Palestinians and Arabs living in the occupied Syrian Golan (ibid., para. 105). The brutal military campaign against the Palestinian people and the Palestinian Authority was characterized by the excessive and disproportionate use of force as well as targeted extrajudicial executions; no segment of the population was spared, including women, children and the elderly. During the period covered by the report of the Special Committee, much infrastructure, housing stock and farmland in the Occupied Palestinian Territory had been destroyed. Similarly, restrictions on the movement of persons and goods, including international humanitarian personnel, had isolated the Palestinians in their own territory, with grave humanitarian consequences, including the virtual collapse of the economic, social, educational and cultural life of the local population.

27. She deplored the entry into force in July 2004 of the new Israeli law on citizenship which prevented reunification of families in the case of marriage between a Palestinian living in Israel and a person residing in the West Bank or Gaza, which posed serious questions in relation to the Convention on the Elimination of All Forms of Racial Discrimination. In spite of repeated assurances on the part of the Israeli Government, the illegal campaign of settlement and confiscation of Palestinian land continued, in violation of international law and international humanitarian law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War and Protocol I Additional to the Geneva Convention.

28. The construction of the separation wall constituted another crime against the Palestinian people, depriving thousands of civilians of their livelihood and illegally annexing vast areas of Occupied Palestinian Territory, further impoverishing and isolating the population and affecting the territorial integrity of the Palestinian Territory. Despite the advisory opinion of the International Court of Justice, which declared the wall illegal, and relevant decisions of the General Assembly, Israel continued to ignore international law. The root cause of the Middle East crisis was the illegal occupation of Palestinian territories by Israel. She looked forward to the dismantling of the wall and payment of reparation for all the damage caused, as called for by the International Court of Justice and the General Assembly.

29. The situation described in the report of the Special Committee could justify the use of the term ethnic cleansing and was tantamount to a policy of apartheid. Amnesty International had called Israeli practices war crimes and called on the international community to act while Human Rights Watch had called Israeli practices unjustified and illegal, aimed not at ensuring security for Israel but at forcing Palestinians to flee the border between the Gaza Strip and Egypt and create a buffer zone to secure Israeli control of the area.

30. As stated in the report of the Special Committee (A/59/381, para. 23), the aspirations of Palestinians in the Occupied Palestinian Territory for a homeland and their hopes for a better future had been considerably diminished. Using self-defence as a pretext, Israel was simply continuing its occupation of Palestinian and Syrian territories. The international community must question whether annexation of territory and settlements were truly self-defence mechanisms. The occupation itself was in fact a flagrant human rights violation and Israeli practices flouted the international community's efforts to achieve a just and comprehensive peace in the Middle East, in violation of numerous Security Council resolutions and the principle of exchange of land for peace.

31. **Mr. Mekdad** (Syrian Arab Republic) considered Israel's continued refusal to admit members of the Special Committee to Investigate Israeli Practices grounds for the Committee to continue the work of revealing Israel's disdain for international humanitarian law and its violations of human rights in the occupied territories.

32. Israel had confiscated lands and expelled Arab people from 244 villages, towns and cities in the Golan and forced some 500,000 Syrian refugees out of their lands and homes. Moreover, Israel had imposed its legal and administrative jurisdiction on the Golan, discriminated against its people and applied terrorizing and oppressive tactics to impose Israeli identity on them. For example, on 1 January 2004, Israel had announced its plans to house 15,000 new settlers in the Golan, during the following three years. On

28 February, it had confiscated all the land in the village of Mas'ada belonging to an Islamic religious trust and had uprooted 1,800 fruit trees in a feverish attempt to present the international community with a fait accompli. Furthermore, Israel had destroyed the environment of the Golan where it had uprooted trees, burnt forests, destroyed agricultural land and dumped nuclear and chemical waste. Through the Mekorot Water Company, Israel had also stolen an estimated 400 to 500 million cubic metres of water from the Banyas River and Tiberias Lake. Its continued occupation of the Golan was a clear contravention of the relevant United Nations resolutions, the principles of the Hague Conventions of 1899 and 1907, and the fourth Geneva Convention.

33. In the meantime, Israel had expropriated 42 per cent of the Palestinian territories, to which it had admitted Jewish immigrants in an attempt to change Palestine's demographic balance. Its separation wall exacerbated the suffering of the Palestinian people, whose villages and towns remained isolated in a manner that worsened the socio-economic conditions further. Since September 2000, Israel had killed some 3,500 Palestinians, including hundreds of children. Such war crimes and crimes against humanity must be brought to an end by the international community.

34. His country had repeatedly proclaimed its commitment to peace and had called on Israel to withdraw from all the Arab territories it had occupied since 1967 and to safeguard the legitimate rights of the Palestinian people, including the establishment of its independent State with Jerusalem as its capital on the basis of the resolutions of the United Nations, the Madrid principles and the Arab peace initiative.

35. Peace was incompatible with occupation; his Government therefore called on the Secretary-General of the United Nations and the Security Council to take all necessary steps to ensure compliance with United Nations resolutions and to prevent Israel from continuing its practices which were threatening to exacerbate an already tense situation in the region and were incompatible with any sincere efforts to achieve a just and comprehensive peace in the Middle East.

36. **Mr. Assaf** (Lebanon) said that Israel, which had occupied the West Bank and Gaza since 1967, had put in place some 600 checkpoints, which had turned what had been a 3-hour journey into a 13-hour trip for Palestinians travelling from the north of the West Bank to the south. Extrajudicial executions by Israel had taken approximately 4,000 lives since 2000, and approximately 6,000 arbitrarily detained Palestinians were forbidden to receive prison visits. Israel's policies of house demolition, destruction of agricultural land and confiscation of property were in direct contravention of article 17 of the Universal Declaration of Human Rights. The construction of the separation wall, which had resulted in the annexation of approximately 1,000 square kilometres of West Bank territory, had rendered the fulfilment of the Palestinians' inalienable right to self-determination impossible. Whereas 400,000 Israeli settlers lived in 200 settlements inside the Occupied Palestinian Territory, 4 million Palestinian refugees lived in 59 UNRWA refugee camps, in clear violation of Security Council resolution 465 (1980). Israel had continued to occupy approximately 1,000 square kilometres of the Golan since 1967, which had rendered some 500,000 Arabs homeless — in contrast to 44 settlements housing some 20,000 Israeli settlers — while the remaining 25,000 Arabs in the Golan suffered Israeli oppression. Since 1981, Israel had refused to rescind its decision to impose its laws in the Golan, notwithstanding Security Council resolution 497 (1981), which declared Israel's annexation inadmissible and its laws in the Golan null and void.

37. The only solution was to implement the recommendations of the Special Committee to Investigate Israeli Practices, which had been reflected in the Beirut Arab peace initiative. That initiative offered peace, recognition of Israel and establishing normal relations with Israel in return for withdrawal and the return of the refugees. Notwithstanding Israel's rejection of the initiative, the Arabs were still seeking peace.

38. **Mr. Shiweva** (Namibia) expressed his delegation's full support for the recommendations contained in the report of the Special Committee to Investigate Israeli Practices (A/59/381). With its policy of extrajudicial killings and the destruction of houses and other Palestinian property, Israel, the occupying Power, was violating international humanitarian and human rights law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War. In continuing to build its separation wall, it was flouting the decisions of the International Court of Justice and the General Assembly. His delegation fully concurred with the view of the Special Committee that

construction of the wall was seriously altering the social fabric of Palestinian communities and must be stopped and then reversed. Furthermore, Israeli settlement activities, curfews, roadblocks, as well as its unilateral disengagement plan, were not in conformity with the road map.

39. The deaths of over 3,000 Palestinians, including 500 children, and 1,000 Israelis since 2000, and the thousands of injuries on both sides, were deeply disturbing. The murder of UNRWA workers during the reporting period was proof that the occupying Power targeted those who sympathized with and provided humanitarian assistance to the people of Palestine.

40. There should be no selectivity in bringing the perpetrators of human rights violations to justice. Universal rules and regulations must be applied without discrimination. The United Nations, in particular, the Security Council, had an obligation to ensure that the question of Palestine was permanently resolved and that the Palestinian people were free and independent. As a member of the Movement of Non-aligned Countries, Namibia reiterated its support for the Declaration on Palestine of the Fourteenth Ministerial Conference of the Non-aligned Movement, held in Durban in August, calling for specific measures to be taken against all illegal Israeli activities in the occupied Palestinian territories, including East Jerusalem. His delegation urged Israel to ensure respect for international humanitarian and human rights law, including the fourth Geneva Convention.

41. **Mr. Hassan** (Jordan) condemned Israeli violations of the Palestinian people's basic human rights and called on Israel to desist from all illegal practices — extrajudicial killings, increased settler violence, construction of the separation wall and, most recently, the demolition of 1,100 Palestinian houses, including in Rafah and Jabalia. As reported by the Under-Secretary-General for Political Affairs in his latest briefing to the Security Council, the cycle of violence had taken the lives of nearly 4,000 Palestinians, including 500 children, and nearly 1,000 Israelis in the past four years. The road map remained the only acceptable solution for all parties, a vision that President George W. Bush of the United States had reaffirmed in a letter to King Abdullah II of Jordan in May. To that end, Israel must fulfil its commitments by ceasing all forms of settlement activities and extrajudicial killings, and the Palestinians must complete the reform of their security apparatus and put an end to violence. An effective monitoring mechanism operated by the Quartet would also be necessary.

42. Any Israeli withdrawal from the Gaza Strip must be coordinated with all the parties concerned, particularly the Palestinians, in order to ensure a smooth transfer of power. Israeli public statements that it would not go beyond disengagement from the Gaza Strip, that its objective was a long-term interim arrangement in the West Bank, that settlement activity would continue in the West Bank and that it would proceed with construction of the separation wall weakened any prospect of a two-State solution. While Jordan welcomed Israeli withdrawal from the Gaza Strip, that withdrawal must be a part of — not an alternative to — the road map.

43. The current trajectory of the Israeli separation wall constituted a serious threat to Jordan's national security and would prevent the establishment of an independent and viable Palestinian state. During the general debate, the Minister for Foreign Affairs of Jordan had stressed the need for implementation of the advisory opinion of the International Court of Justice on the separation wall and welcomed General Assembly resolution ES-10/15.

44. Israeli practices in the Golan Heights were also violating international law. Israel should discontinue its illegal settlement activities and its imposition of severe economic restrictions on the Syrian population in that area.

45. **Mr. Al-Habsi** (United Arab Emirates) said that, since announcing its unilateral plan to withdraw from the occupied Gaza Strip, Israel had escalated its State terrorist acts and war crimes in violation of the principles of human rights instruments and the fourth Geneva Convention. It had also stepped up its extrajudicial killings, demolition of houses, destruction of land and arbitrary detention, including of women and children. In defiance of General Assembly resolutions and international conventions, Israel had begun to build an expansionist separation wall, seizing more Palestinian land, confiscating Palestinian water resources and restricting the movement of the Palestinian people in an effort to drive them away and bring in more Israeli settlers. The impact on the Palestinian economy had been devastating — driving up unemployment to 33 per cent and the number of people living under the poverty line to 63 per cent.

Nearly one fourth of Palestinian children suffered from malnutrition.

46. Although the international community had denounced and deplored the Israeli occupation of Arab lands and Israel's hostile, expansionist and racist acts, Israel continued to occupy the Syrian Arab Golan and to violate the human rights of the Arab people, including the right to work and the right to education. It obstructed their search for work, arbitrarily dismissed them from their jobs, did not pay them regularly or provide them with health care and subjected them to arbitrary detention, torture and humiliation. Israel continued to expand its settlements in an attempt to Judaize the region and erase Arab identity.

47. The United Arab Emirates condemned those violations and reaffirmed its support for the Palestinian people in their fight for self-determination and the establishment of an independent State with Al-Quds Al-Sharif as its capital. The international community should force Israel to end its aggression and human rights violations and comply with the provisions of international law, in particular those of the fourth Geneva Convention. Israel must cease construction of the separation wall, dismantle the portion of the wall that had already been built and compensate Palestinians who had been evicted in the process. It should also dismantle all settlements built on occupied Arab lands and withdraw from all the Arab lands it had occupied since 1967, in compliance with the relevant Security Council and General Assembly resolutions.

48. **Mr. Abu Zeid** (Egypt) said that the Special Committee to Investigate Israeli Practices had been unable to secure permission from the Israeli authorities to enter the occupied territories since the Committee's establishment in 1968, pursuant to General Assembly resolution 2443 (XXIII). The disturbing Israeli policies of extrajudicial killings, house demolition, land seizure, destruction of agricultural land, detention, closures and curfews in the occupied territories deserved the international community's utmost attention. Syrians in the occupied Golan suffered under the legislative and administrative jurisdiction imposed by the occupying authorities in an alarming contravention of international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, Security Council resolution 497 (1981) and General Assembly resolution 53/57.

49. While his delegation supported the consensus on the road map and the two-State solution, it believed that any Israeli initiative for withdrawal from Gaza could be discussed only if three major conditions were met. First, a full withdrawal must take place without leaving unresolved issues that could trigger violence and warrant military intervention. Second, a withdrawal from Gaza must not be used as an excuse to impose a wider siege that could turn the area into an open prison where the population was unable to travel freely or earn a living. It would therefore be necessary to open the road between the West Bank and Gaza and to assign international observers to ensure that both parties fulfilled their commitments. Third, full coordination must be maintained with the Palestinian side to ensure success. Egypt had mediated between the Israelis and the Palestinians with a view to reaching a comprehensive political and security programme capable of bringing the two sides back to the negotiating table and offering guarantees of their commitment to the implementation of the road map.

50. **Ms. Wahab** (Pakistan) said that it was clear from the Special Committee's report that the Israeli occupiers continued to violate their legal and political obligations in the West Bank, the Gaza Strip and the occupied Syrian Arab Golan, all of them territories subject to the 1949 fourth Geneva Convention, which, among other things, prohibited an occupying Power from transferring its own civilian population into occupied territory. The same Convention also prohibited collective punishments and upheld rights being denied by Israel, such as freedom of movement, the right to humanitarian and medical assistance, economic independence and a fair trial and, above all, the right to life and to self-determination.

51. Among the many aggressive, provocative actions by Israel in the past year, the severest humanitarian consequences had been caused by the ongoing construction of the separation wall, the incessant military incursions that had left hundreds of Palestinians dead, the systematic house demolition campaign that had created a body of internally displaced people, and the ongoing settlement activities. Moreover, by its recourse to cruel, inhuman and degrading treatment and its suspension of basic rights, Israel was violating the United Nations human rights treaties to which it was a party.

52. The law should always be enforced without discrimination, especially where the power of the State

lay heavy on innocent lives. The international community needed to enforce respect for international humanitarian law more vigorously, and monitoring was the first step towards enforcement. The Special Committee was, indeed, performing that task admirably. However, the General Assembly and the Security Council, disregarded by Israel, should also play their part in securing the inalienable rights of the Palestinian people. The real cause of the problems in the Middle East was Israel's occupation of Palestinian territories. Israel must be made to implement the relevant Security Council resolutions, including the road map for a durable peace in the region. Peace was not just the absence of war, it was a disposition towards justice and equity, and justice in the Holy Land remained elusive.

53. **Mr. Isa** (Malaysia) said that the Special Committee's report conveyed one definitive conclusion: the policies and practices of the occupying Power had aggravated the already disturbing living conditions and human rights situation of the Palestinian people and other Arabs of the occupied territories in an unprecedented way. Israel's persistent refusal to cooperate with the Special Committee — which was counterproductive because it had deprived itself of the opportunity to express its own views — was a matter for concern, as was its disregard for the Secretary-General's request for information regarding the implementation of the relevant General Assembly resolutions. The inescapable impression was that Israel wanted to prevent the international community from knowing the actual situation.

54. Under the circumstances, it was in no position to accuse the Special Committee of bias in its reporting. Indeed, the Special Committee had been able to prepare an accurate report on the basis of accounts by witnesses among the population of the occupied territories, Israeli citizens, both Arab and Jewish, and Israeli non-governmental organizations, all of whom, deeply troubled by Israeli actions, had found the courage to come forward to expose the abuses and injustices in order to promote peace in the region. The Special Committee had also had the benefit of information furnished by several States and international organizations in the region and by United Nations agencies. The gross human rights violations outlined in the Special Committee's report under the various rubrics in section V clearly violated the Charter of the United Nations and a number of the basic human rights instruments, and they must be stopped. Israel must be made to realize that it was not above the law.

55. The construction of the separation wall in the Occupied Palestinian Territory had added another dangerous dimension to the situation. It was a visible sign that the Territory was being transformed into a vast open-air prison, and that Israel was bent on territorial annexation under the guise of self-defence and security. The wall had been declared illegal by the International Court of Justice in July 2004, and the General Assembly, in resolution ES-10/15, had immediately followed up by demanding its dismantling and payment of reparations to all who had been affected.

56. Israel's harsh policies had gone beyond methods acceptable even in warfare. Its restrictive administrative system demonstrated its true desire for total subjugation of the people of the occupied territories. The wilful extrajudicial killings, mass arrests, arbitrary detentions, the destruction and confiscation of property and land and the Jewish settlement policies had gone on for far too long.

57. There were two factors that might be decisive in countering the international apathy towards redressing the situation — the dissemination of information through the global mass media, and the mobilization of public opinion. The Department of Public Information should be commended for its good work on that score. His own Government, which held the chairmanship of the Non-Aligned Movement, had assumed a leading role in mobilizing world opinion and in April 2005 would be convening an international conference of civil society organizations dealing with peace in Palestine. Other Member States as well should focus public opinion on the Palestinian question.

58. The only hope of the people under Israeli occupation for a way out of their devastatingly difficult life rested with the international community, which should prevail upon Israel to change its behaviour, along the lines recommended in paragraphs 110 (a) and (b) and 111 to 114 of the Special Committee's report. The Special Committee itself must continue to play its independent and indispensable role.

59. **Mr. Sinaga** (Indonesia) observed that the Special Committee's report described clearly the appalling deterioration in the living conditions of Palestinians in the occupied territories caused by the increasingly frequent Israeli military incursions and by the

construction of the separation wall in the West Bank. The military incursions had caused an unprecedented destruction of land, property and means of livelihood. Extrajudicial killings and wanton murders had continued, in contravention of international law and international humanitarian law. The construction of the wall, affecting close to a million Palestinians from at least 200 communities, seemed designed to cause an exodus from the areas adjacent to it. The recent advisory opinion of the International Court of Justice, buttressed by the General Assembly resolution in support of it, imposed a legal obligation on Israel to dismantle the wall and make reparations for all the damage its construction had caused.

60. In the occupied Syrian Golan as well, Israeli authorities were attempting to destroy Arab identity and impose the Hebrew language and literature and the Jewish interpretation of history, actions that resembled ethnic cleansing.

61. Indonesia supported the road map, which was scheduled to achieve its objectives in 2005. Given the recent developments, however, that would not happen unless the Israeli Government found the political will to make it happen. Reaffirming the 2004 ministerial Declaration on Palestine adopted by the Non-Aligned Movement, Indonesia called on Member States to take steps to prevent any products of the illegal Israeli settlements from entering their markets, to decline entry to Israeli settlers and to impose sanctions against companies and entities involved in the construction of the wall and other illegal activities in the Occupied Palestinian Territory, including East Jerusalem, until Israel complied with international law.

The meeting rose at 12.35 p.m.